

NOV 16 2009

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

JOHN F. CORCORAN, CLERK
BY: *J. F. Corcoran*
DEPUTY CLERK

UNITED STATES OF AMERICA,

v.

STEVE ALLEN BLACK,
RONALD EDWARD BLACK, and
DERECK LORENZO DUNSTON,
Defendants.

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Criminal No. 6:08-cr-00006

MEMORANDUM OPINION

On July 10, 2008, Steve Allen Black, Ronald Edward Black, and Dereck Lorenzo Dunston each pleaded guilty to counts of conspiracy to defraud the United States, bank fraud, and identity theft. On January 7, 2009, I sentenced Dereck Dunston to 42 months custody and 36 months supervised release. On January 22, 2009, I sentenced Steve Black and Ronald Black to 39 months custody plus 60 months of supervised release.

I also ordered Defendants to pay joint and several restitution totaling \$114,996.49. The restitution total included estimated losses for two victims: an estimated loss of \$1,727.92 for Caja Mediterraneo, and an estimated loss of \$542,92 for Chase Manhattan Bank. Pursuant to 18 U.S.C. § 3664(d)(5), victims have up to 90 days after sentencing to make a restitution claim with the Court. On March 6, 2009, the Vice President and Compliance Officer for Caja Mediterraneo-Miami advised that Caja Mediterraneo did not suffer a financial loss in this case. Chase Manhattan has failed to respond to requests for loss verification. Therefore, I find that I must amend the judgments in this case by removing Caja Mediterraneo and Chase Manhattan Bank as victims. This leaves Capital One as the only remaining victim, with restitution owed to Capital One totaling \$112,725.65, jointly and severally among all three Defendants.*

* The Supervising United States Probation Officer responsible for this case has indicated to me that
(continued...)

Accordingly, an Amended Judgment will be entered forthwith. The Amended Judgement will reflect the following: that Caja Mediterraneo and Chase Manhattan Bank have been removed as victims; that Capital One is the only remaining victim; and that the restitution owed to Capital One totals \$112,725.65, jointly and several among all three Defendants.

The Clerk of the Court is hereby directed to send a certified copy of this Memorandum Opinion and the accompanying Order to all counsel of record.

ENTERED: This 16th day of November, 2009.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE

*(...continued)

counsel for the Government and for the three Defendants agree that Caja Mediterraneo and Chase Manhattan Bank should be removed as victims in this case, and that the joint and several restitution amount should be amended accordingly.